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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-seventh session

Summary record of the 1519th meeting
Held at the Palais des Nations, Geneva, on Friday, 14 July 2017, at 3 p.m.

Chair: Ms. Leinarte

Contents

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined seventh and eighth periodic reports of Nigeria (continued)

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined seventh and eighth periodic reports of Nigeria (CEDAW/C/NGA/7-8, CEDAW/C/NGA/Q/7-8 and Add.1)

1. *At the invitation of the Chair, the delegation of Nigeria took places at the Committee table.*

Articles 7 to 9 (continued)

2. **Ms. Verges** said that Nigeria had been overtaken by some of its fellow African countries in terms of women's representation in parliament. In her view, special measures were required to address that shortcoming.

3. **Ms. Jummai Alhassan** (Nigeria) said that the Government recognized the need for specific legislation to increase women's representation in politics and was willing to accept advice from experts and civil society organizations on how to approach the legislative process.

4. **Mr. Kadiri** (Nigeria) said that the officials of the Ministry of Foreign Affairs were recruited by the Federal Civil Service Commission. Eleven out of 47 recent ambassadorial appointments had been taken up by women, while 27.1 per cent of professional officers in the foreign service were women.

5. **Ms. Oboro** (Nigeria), speaking in her capacity as the Chair of the Women in Parliament Committee of the House of Representatives, said the incorporation of the Convention into the national law was a priority in the ongoing review of the Constitution. The 35 per cent affirmative action target set under the National Gender Policy would be considered as part of that process.

Articles 10 to 14

6. **Ms. Gbedemah** said that she commended the State party for introducing laws and initiatives to improve girls' access to education of good quality, but it was unclear how many participants had taken advantage of those initiatives or what their impact had been. Similarly, the reported increase in budgetary allocations for girls' education was welcome, but it would be useful to have more up-to-date figures in order to determine whether the benchmark of 26 per cent of the national budget set aside for education, as recommended by the United Nations Educational Scientific and Cultural Organization (UNESCO), and the targets under the Dakar Framework for Action on Education for All had been met. How did the Government, in in its efforts to correct the imbalance in girls' education, ensure that the states had access to the relevant fund for universal basic education by coming up with their share of matching grants, as there had been reports that a number of them had been unable to do so?

7. The Court of Justice of the Economic Community of West African States (ECOWAS) in Abuja had ruled that the right to education was a justiciable right, contrary to section 18 of the Constitution. She wished to know whether the State party planned to publicize the landmark decision and amend the Constitution accordingly. The decision offered a good opportunity to bring public attention to the Compulsory, Free Universal Basic Education Act and improve the quality of education.

8. The placement of the returned Chibok schoolgirls under the care of the federal government and their enrolment in the federally managed unity schools was a positive development; however, she wished to learn how many abducted girls were still missing, including those that had been taken from Zanna Mobarti Primary School in 2014. Information should be provided on how many of the returned girls had access to medical and psychosocial therapy services and whether those services had been extended to their families and communities. In the event that some of the girls did not want to go to unity schools, would the Government provide alternative educational arrangements or other locations for study, and what was the per capita budget allocation for such measures? She

was interested to know what had been done to provide for safe and secure environments for girls and teachers. It would be helpful to learn how many schools would benefit from the project of the World Bank to upgrade school infrastructure, whether the project would include the 900 schools estimated to have been destroyed in the Boko Haram insurgency and whether a time frame was envisaged for those efforts. She wondered what was being done to ensure that appropriate facilities and services were offered and whether regular building inspections were conducted. The Committee would appreciate information on efforts to train child psychologists and to incorporate psychology and human rights education into teacher training. Considering that Nigeria had endorsed the Safe Schools Declaration, she asked whether the Government had investigated the reports that schools were being used by the military for counter-insurgency operations.

9. In addition to social and cultural practices that impeded girls and young women's access to education, privatization had also led to a decline in quality that disproportionately affected female students; in that regard, she asked if young women embarking on courses at private universities received financial support or sponsorship? Lastly, she would appreciate it if the delegation could comment on reports of resistance to comprehensive sex education in the State party. Further information on special needs education and staffing at the tertiary level would also be welcome.

10. **Ms. Haidar** said that she commended the State party for carrying out projects to empower women and young people and would appreciate further information about plans and projects for rural women and women with disabilities. She would also be grateful for details of the plans of the National Centre for Women Development to provide vocational training for women in rural areas, including disaggregated data on the sex and age of the participants.

11. The Committee had previously drawn attention to the discriminatory nature of sections 118 to 128 of the Nigerian Police Regulations and specifically the provisions relating to pregnancy, marital status and living arrangements, the height requirement, the requirement that policewomen should place the letter "W" before their rank and family benefits and allowances that appeared to be granted exclusively to male officers. Accordingly, she asked what measures had the State party taken to bring the Regulations into conformity with the Convention, in accordance with its obligation to repeal statutory provisions that were contrary to equality of opportunity and treatment.

12. Furthermore, the Committee had learned that the gender pay gap and discriminatory practices persisted in the banking sector — with reports of women being forced to resign because their husbands had joined the same bank — and in the public sector, where only men were entitled to certain benefits. She would like to know how the Government addressed discrimination in the workplace on the basis of maternity and marital status. The delegation might also indicate the number and nature of cases identified by labour inspectors, including the penalties imposed and remedies available and describe the measures adopted to prevent and combat harassment in the workplace. What steps were envisaged to push the gender and equal opportunities bill through the parliament? Finally, she asked how the Government intended to build women's capabilities in technology, innovation and entrepreneurship.

13. **Ms. Chalal** said that the Committee welcomed the National Strategic Health Development Plan for the period 2011-2015, the National Health Act and other initiatives that aimed to improve access to health, but remained concerned about rates of maternal and child mortality, the incidence of preventable diseases, malnutrition affecting women in rural areas and the limited availability and use of contraceptives. Health coverage was structurally weakened by a lack of human and financial resources, with significant disparities between the northern and southern regions, while rural women's access to obstetric, antenatal and postnatal care was impeded by the lack of coverage and their inability to pay. Maternal mortality remained very high at 576 deaths per 100,000 live births. Consequently, she wished to know what additional measures the State party envisaged to strengthen women's access to reproductive and sexual health services and family planning information and how it planned to eliminate obstetric fistula, which was estimated to have affected up to 800,000 women. Furthermore, the abortion law was extremely restrictive in only permitting the procedure to save the life of the woman, thus

contributing to the prevalence of unsafe abortions and the high rate of maternal mortality. Consequently, she wondered what steps were being taken to reduce maternal mortality, remedy the lack of post-abortion health care and decriminalize or legalize abortion, particularly in cases of incest, rape and serious fetal impairment.

14. Notwithstanding the measures taken to curb HIV/AIDS and to strengthen adolescents' awareness of the disease, the Joint United Nations Programme on HIV/AIDS (UNAIDS) considered that Nigeria had the highest rate of infection in the world, with women affected more than men. She therefore welcomed the Presidential HIV/AIDS Comprehensive Response Plan and asked whether it had achieved its goals and had been allocated sufficient human and financial resources.

15. Lastly, considering that 400 children had died and thousands had been left with disabilities following a lead poisoning epidemic in Zamfara state, which had also led to increased rates of infertility and miscarriages, she asked what measures the Government would take to protect women and girls from lead contamination and ensure that they received medical, psychological and rehabilitative assistance.

16. **Mr. Ladan** (Nigeria) said that comprehensive information on enrolment, retention and completion rates at various levels of education had been published in 2016 and would be shared with the Committee. While public spending on education remained below the threshold advocated by UNESCO, the Government had increased the budget allocation from 6.4 per cent to 11.1 per cent in recent years. Concerning the legal framework, section 18 of the Constitution should not be considered as a stand-alone provision, but rather be interpreted in conjunction with the Compulsory, Free Universal Basic Education Act. Human rights education had been mainstreamed in the respective academies of the military and law-enforcement and intelligence agencies through the introduction of a human rights training manual, which had subsequently been provided to lower court judges. Moreover, a high-level human rights desk had been created at the headquarters of the Nigerian Army and a joint committee of the military and the National Human Rights Commission had investigated the human rights violations alleged to have taken place in the previous four years and published a report on its findings.

17. In 2010, the Government had adopted a national curriculum on sex education that had been mainstreamed in primary and secondary schools, demonstrating its determination to overcome sensitivities in that area. Concerning the need for legislative efforts to ensure gender equality, the Nigerian Police Regulations had been reviewed with a view to adopting an amendment to the Police Act, although, unfortunately, the amendment had been rejected and was currently being redrafted.

18. **Ms. Ekpere Eta** (Nigeria), in her capacity as Director General of the National Centre for Women Development, said that her organization had re-established six centres in 2015 and would open centres in 12 states during the current budget period. As a result, about 8,000 women would receive training in skills such as plumbing, hairdressing and information and communications technologies. The Centre planned to work with the Ministry of Women Affairs and local governments to reopen centres in all 36 states in the coming months.

19. **Ms. Umar** (Nigeria) said that the police training manual had been in use for five years and was comprehensive and gender-sensitive and included content on human rights, gender and violence against women. The Nigeria Police Force was considering a proposal to incorporate gender into the mandate of its human rights desk.

20. **Mr. Ladan** (Nigeria) said that the abortion law, although restrictive, had some grey areas in terms of its criminal application. Since Violence Against Persons (Prohibition) Act of 2015 had not introduced any provisions on abortion, the issue would be addressed as part of a review of laws undertaken by the Nigerian Law Reform Commission, which would issue a report and a proposal in December 2017. The Government had made some progress in increasing the use of family planning services and contraceptives under the Family Planning Blueprint drawn up in 2014. A detailed data analysis on contraceptive prevalence, maternal mortality and child health had been carried out and would be made available to the Committee.

21. **Ms. Jummai Alhassan** (Nigeria) said that, in 2016, the Ministry of Women Affairs and Social Development had equipped 10 centres for women's development at the state level. States with no centres had been instructed to build them, while states with centres had been asked to expand them into other regions. The centres had sufficient funds to employ medical professionals and improve facilities. The development centre in Abuja provided for training in information and communications technology and artisanal skills.

22. The letter 'W' in the identification numbers of female police officers was used only to assist in the disaggregation of data. There were no known cases of it affecting promotions, entitlements, postings or disciplinary actions. There was also no gender-based discrimination in the wages of public sector employees, and no reported cases of women being asked to resign in cases where they held the same positions as men.

23. The Ministry of Women Affairs and Social Development and the Ministry of Education had been working to create special schools for married women and girls, many of whom were denied education owing to early marriage, particularly in the North. Various programmes were already in place to encourage parents to send their daughters to school. In Kano state, a conservative and Islamic area, a law had been passed which required girls to be sent to school and the Emir had established a commission on the matter. As Muslim children were sometimes deprived of their education owing to a shortage of Koranic schools, schools for children who begged in the streets, known as Almajiri schools, provided such children with schooling using both Islamic and Western curricula.

24. **Ms. Gbedemah** said that she would appreciate further information on alternative forms of education for Chibok girls, particularly the proposed schools for married girls.

25. **Ms. Chalal** asked whether the comprehensive plan to combat HIV/AIDS had achieved its objectives and whether it had received sufficient funding.

26. **Ms. Schulz** said that, despite legal provisions for equal pay, there were subtle ways in which women could be paid less than men for work of equal value. Women could, for example, benefit less from bonuses or other benefits.

27. **Ms. Jummai Alhassan** (Nigeria) said that there was no wage discrimination in the public sector, as a uniform, gender-neutral policy on wages and allowances had been established. A specialized agency had been established to combat the spread of HIV/AIDS and substantial funding had been made available from various sources. Her delegation would provide further information and statistics on its campaign against HIV/AIDS in writing. The federal government had established a commission to harmonize and review legislation considered discriminatory, contradictory or in violation of the Constitution, including laws on the police. The police force had the political will to make changes to eliminate gender-based discrimination and had introduced a gender policy and gender desks in all stations.

28. **Mr. Ladan** (Nigeria) said that there was no legal basis for any gender pay gaps. The labour standards bill would address salary disparities in the private sector and bring salaries into line with those in the public sector.

29. **Ms. Ameline** said that she would appreciate further information on plans and policies for addressing the ecological problems in Lake Chad and the Niger River, which had exacerbated existing food and security crises. She asked how the Government ensured women's involvement in environmental protection and development as both beneficiaries and decision makers.

30. Regarding the Sustainable Development Goals, she wished to know whether the Government planned to review its development model to ensure that it was inclusive and highlighted women's rights. She asked whether the Government was committed to increasing use of solar power, wind power and other new technologies that could enhance investment opportunities for women.

31. **Ms. Haidar** said that national policies must reflect the fact that gender inequality at work and at home translated into gender gaps in social protection. Nigerian women were more likely than men to work in informal employment, and many, therefore, had no access to pensions or other protections. The lack of available data on the impact of government

policies on employment and micro, small and medium-sized businesses was a matter of concern. She wished to know how the Government planned to reduce inequalities in the provision of welfare services and increase long-term support for vulnerable people.

32. As female-led households in poor areas would be more exposed to the effects of climate change, she asked what policies were envisaged to address the challenges of climate change in view of existing gender-based economic inequalities. She would welcome further information on the Government's follow-up to the twenty-first Conference of the Parties to the United Nations Framework Convention on Climate Change.

33. **Ms. Song** said that she wished to know whether rural women who had launched income-generating activities had access to support services to overcome difficulties and achieve results. She also asked whether there was any assistance available for women unable to pay back loans. Some 36 agribusinesses had conducted training in 2014 and, although women had participated in all the training courses offered, men had participated in only 18. She asked whether the discrepancy was related to traditional gender roles and stereotypes.

34. Women owned only 7.2 per cent of the land in Nigeria and their right of access to land was often regarded as secondary to that of men. In that regard, she asked what actions had been taken to promote and safeguard women's right to land, which was vital to rural women and female-led households, and whether there were plans to review land laws to remove discriminatory provisions. She also wished to know the extent to which women were involved in formulating and implementing rural development programmes and strategies and what means they had to make their concerns and voices heard.

35. Rural women often had less access to health care, family planning services, land, education and employment in comparison to urban women. She asked whether there was a comprehensive development plan that addressed the structural problems faced by rural women in a holistic manner, and, if not, whether one would be developed.

36. Commending the Government's efforts to assist internally displaced women, she asked whether there was a mechanism to involve them in formulating and implementing recovery programmes, whether there was an instrument to address the root causes of internal displacement and what were the main challenges facing internally displaced women. While she welcomed the fact that there were no cases of sexual violence or exploitation involving internally displaced girls living in camps, she wished to know whether there was a code of conduct for persons working in and around the camps on behalf of the Government.

37. **Ms. Jummai Alhassan** (Nigeria) said that many camps for internally displaced persons had been disbanded, and their inhabitants had been assimilated into host communities until their homes were rebuilt. In collaboration with the federal government, state governments were facilitating the return of internally displaced persons and providing them with livelihood support and title to federal government properties. Joint ownership of such properties was awarded to couples, while the livelihood support was given to women on behalf of their families.

38. The Government was collaborating with development partners, NGOs and civil society organizations to ensure that the Sustainable Development Goals were implemented in all areas. Women's welfare services were available in various sectors at the local, state and federal levels; she would be glad to provide further information on such services in writing. The Lake Chad Basin Commission had been looking into ways of pumping water back into the lake to prevent shrinkage. Significant financial resources had been allocated to efforts to replenish the lake.

39. Human rights education was part of the primary and secondary school curriculum. In order to increase youth employment, a paid volunteer employment assistance programme was in place to provide unemployed male and female graduates with training in teaching, health and agriculture. Approximately 500,000 people had been recruited for the programme in 2016, and funding was in place to increase that number in 2017.

40. **Mr. Ladan** (Nigeria) said that Nigeria had revised its National Policy on the Environment in 2016 to include a chapter on climate change mitigation and adaptation, in

accordance with the Paris Agreement on Climate Change. A National Policy on Climate Change had also been established, in addition to a Department of Climate Change in the Ministry for the Environment. The Department had a subsection to address gender-related issues.

41. The Office of the Senior Special Assistant to the President on the Millennium Development Goals had been expanded to cover the Sustainable Development Goals. The head of the Office was a woman, and Members of Parliament had been made aware of gender-related aspects of the new Goals. A mechanism for making the transition from the Millennium Development Goals to the Sustainable Development Goals had been established, in addition to a work plan and strategy for implementation of the Sustainable Development Goals.

42. **Ms. Song** asked what measures the Government had taken to eliminate the multiple forms of discrimination experienced by women with disabilities and what special services had been established to respond to their needs.

43. **Ms. Schulz** said that homosexual acts were punishable by severe penalties under the Penal Code, as were same-sex relationships and organizations that promoted the rights of lesbian, gay, bisexual and transgender persons. Lesbian, bisexual and transgender women, or those who were perceived to be as such, had been raped and subjected to other forms of violence by both State and non-State actors. The perpetrators went unpunished, since the victims of such violence were unable to seek justice from the courts. Given that the African Commission on Human and Peoples' Rights had called for a review of the Same-Sex Marriage (Prohibition) Act of 2014, she wished to know whether steps had been taken to ensure lesbian, bisexual and transgender women's human rights were respected.

44. Women in detention faced overcrowding, violence, and a lack of access to health care and education. Many women, especially those from poor backgrounds, were held in pretrial detention for long periods since they were unable to pay bail. She asked what measures had been taken to remedy those problems and whether alternatives to imprisonment had been considered for non-violent offenders to reduce overcrowding.

45. **Ms. Jummai Alhassan** (Nigeria) said that the Government would be willing to consider reviewing the Same-Sex Marriage (Prohibition) Act, though it was very unlikely that the review would be approved by the National Assembly. Women were remanded in custody when they had failed to meet the conditions of bail. However, women on remand were released if the judge considered their offences to be minor. Some women's organizations and law firms provided free legal services to persons in detention, especially women. Female prisoners were not mistreated or sexually abused, and swift action was taken when such incidents were reported. Many federal states in Nigeria had introduced measures to assist persons with disabilities, including access to buildings and sign interpretation for persons who are hard of hearing. Discrimination against persons with disabilities was prohibited and reports of such discrimination were immediately acted upon.

46. **Mr. Ladan** (Nigeria) said that the Violence against Persons Act of 2015 prohibited violence against all persons for any reason, regardless of sexual orientation. A review of criminal policy allowed judges to pass non-custodial sentences for minor offences, partly with a view to addressing the issue of overcrowding. There was a national committee on penal reform, headed by the Attorney General, which met twice a year to review prison and criminal sentencing policy.

47. **Ms. Schulz** said that she would like the delegation to confirm that the Violence against Persons Act only applied in Federal Capital Territory and not the states.

48. **Ms. Alhassan** (Nigeria) said that neither the Violence against Persons Act nor the Same-Sex Marriage (Prohibition) Act yet applied in states that had not approved them.

Articles 15 and 16

49. **Ms. Verges** said that the State party's report indicated that, although women and men had equal legal capacity according to the Constitution, women's rights were often denied under customary or sharia law, despite the fact that the Constitution allowed for no exception under those legal systems. She wished to know what measures were being taken

to ensure that women were fully able to enjoy their rights under national law. She commended the State party for having set up a Gender Unit within the police force. However, since it was only available in Abuja, she wished to know whether there were plans to set up branches of the Unit nationwide.

50. According to the State party's responses to the Committee's concluding observations (CEDAW/C/NGA/CO/6/Add.1, paras. 26 and 27), efforts had been made to ensure that women who had been married according to sharia or customary law would enjoy the same rights as couples married under civil law, to make registration of customary or sharia law marriages obligatory and to abolish the customary law practice of widow inheritance. She wished to know whether those measures had been approved, and she would welcome information on progress made concerning polygamy, inheritance, age of marriage, custody of children, and the rights of women to acquire and possess property.

51. **Ms. Jummai Alhassan** (Nigeria) said that following sharia or customary law was a choice and not obligatory. Polygamy was permitted in the country, because it was recognized by sharia law, which in turn was recognized by the Constitution. The same was true of child marriage in some states; no punishment could be imposed on anyone who performed child marriages unless the Constitution were amended. Nevertheless, the Government was campaigning for the nationwide prohibition of child marriage by raising awareness of the risks, most notably in terms of the health and education of young girls, through initiatives such as the National Strategy to End Child Marriage for the period 2016-2021. There had already been some success; a bill had been proposed in the northern state of Kano that sought to punish fathers who allowed their daughters to marry before leaving school, and the bill had the support of religious leaders in the state.

52. **Ms. Gabr** said that the State party should look for guidance to other countries that had raised the minimum legal age for marriage to 18 while respecting sharia law.

53. **Ms. Verges** said that correctly applying sharia law was important, since women suffered when it was poorly enforced. There needed to be an open debate about sharia law.

54. **Mr. Ladan** (Nigeria) said that the federal Child Rights Act prohibited the marriage of children under the age of 18, in line with the Convention on the Rights of the Child and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. Twenty-four Nigerian states had so far enacted the law, and campaigns were under way in the remaining states to encourage them to do likewise. Her Government had studied similar experiences in North African countries; however, the circumstances in Nigeria were different due to its federal system of government.

55. **Ms. Jummai Alhassan** (Nigeria) said that, once 26 states had adopted the Child Rights Act, it would take effect in all states.

56. The delegation welcomed the Committee's comments and recommendations, and her Government remained committed in its efforts to bring an end to all forms of discrimination against women.

The meeting rose at 5.05 p.m.